PHILLIP A. TALBERT	
United States Attorney	
Associate General Counsel	
Office of Program Litigation, Office 7	
Social Security Administration	
Telephone: 510-970-4810	
Facsimile: 415-744-0134	
· · · · · · · · · · · · · · · · · · ·	DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA	
FRESNO DIVISION	
	22,222,51
ALIGE RODDIGUEZ	O' 'IN 121 00462 ABA BAM
	) Civil No. 1:21-cv-00463-ADA-BAM
Plaintiff,	STIPULATION AND [PROPOSED] ORDER
v.	TO EXTEND BRIEFING SCHEDULE
KILOLO KIJAKAZI,	)
Acting Commissioner of Social Security,	) )
Defendant.	) )
	ý – – – – – – – – – – – – – – – – – – –
	United States Attorney MATHEW W. PILE Associate General Counsel Office of Program Litigation, Office 7 CASPAR CHAN Special Assistant United States Attorney Social Security Administration 160 Spear Street, Suite 800 San Francisco, CA 94105 Telephone: 510-970-4810 Facsimile: 415-744-0134 Email: Caspar.Chan@ssa.gov Attorneys for Defendant  UNITED STATES EASTERN DISTRICE FRESNO  ALICE RODRIGUEZ, Plaintiff, v.  KILOLO KIJAKAZI, Acting Commissioner of Social Security,

The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security (the "Commissioner"), shall have an extension of one day to respond to Plaintiff's Opening Brief in this case. In support of this request, the Commissioner respectfully states as follows:

- 1. The Commissioner's response to Plaintiff's Opening Brief was due September 26, 2022. This is Defendant's first request for an extension of this deadline.
- 2. Counsel for the Commissioner inadvertently calendared this matter based on a scheduling order for 45 days instead of the scheduling order in this case providing for 30 days to respond to Plaintiff's brief.
- 3. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that he has no objections.
- 4. This request is made in good faith and is not intended to delay the proceedings in this matter.

WHEREFORE, Defendant requests until September 27, 2022, respond to Plaintiff's Opening Brief.

Date: September 28, 2022 PEÑA & BROMBERG, PLC

By: /s/ Caspar Chan for Jonathan Pena\*
JONATHAN PENA
\*Authorized by email on September 28, 2022
Attorneys for Plaintiff

Date: <u>September 28, 2022</u>

PHILIP A. TALBERT

United States Attorney

Eastern District of California

By: /s/ Caspar Chan

CASPAR CHAN

Special Assistant United States Attorney
Attorneys for Defendant

<u>ORDER</u> Pursuant to the parties' stipulation, and cause appearing, Defendant's request for a one-day extension of time to file an opposition to Plaintiff's Opening Brief is GRANTED nunc pro tunc. Defendant's opposition was filed on September 27, 2022. (See Doc. 24.) IT IS SO ORDERED. /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE Dated: September 28, 2022